

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NICHOLAS SANDS AND SANDS & COMPANY, INC.

Plaintiff(s)
Petitioner(s)

INDEX #:
07 CIV 9824
DATE FILED:
11/06/2007

- against -

LEONARD BERNSTEIN AND JANE HOLMES BERNSTEIN

Defendant(s)
Respondent(s)

JUDGE:
SWEET
ATTORNEY FILE#:
10904-00001

STATE OF MASSACHUSETTS: COUNTY OF HILLSBORO: ss:

DARRELL WEBBER, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF MASSACHUSETTS

That on 11/13/2007, 03:34PM at 60 BABCOCK STREET, APARTMENT #95, BROOKLINE MA 02446, deponent served the within SUMMONS IN A CIVIL ACTION, COMPLAINT, CIVIL COVER SHEET & RULE 7.1 STATEMENT on LEONARD BERNSTEIN, a defendant in the above action.

By personally delivering to and leaving with the said defendant personally a true copy thereof, and that he knew the person so served to be the person mentioned and described in the above mentioned papers.

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex M Approximate age 70 Approximate height 5'07" Approximate weight 150 Color of skin WHITE Color of hair WHITE Other GLASSES

LEONARD BERNSTEIN told the deponent that he was not presently in the military service of the United States Government or on active duty in the military service in the State of MASSACHUSETTS or a dependent of anybody in the military.



RIVKIN RADLER LLP

EAB PLAZA

UNIONDALE, NY 11556-0111
(516)357-3000

DARRELL WEBBER

Sworn to before me on 12/05/2007

Carol A. Descoteaux

AFFIDAVIT OF SERVICE

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